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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,545	11/05/2003	Niranjan Behera	1263-0022US	8302
32375	7590	03/04/2005		
SHREEN K. DANAMRAJ DANAMRAJ & YOUST, P.C. PREMIER PLACE, STE. 1450 DALLAS, TX 75206			EXAMINER NGHIEM, MICHAEL P	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No. 10/701,545	Applicant(s) BEHERA ET AL.	
	Examiner Michael P. Nghiem	Art Unit 2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 16-33 is/are rejected.
- 7) ☒ Claim(s) 12-15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/5/03</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - filing date and application number are missing (paragraph 0001, lines 4-5).Appropriate correction is required.

Claim Objections

2. Claims 7, 20, and 29 are objected to because of the following informalities:
"read and write operation" should be -- read and write operations --. Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 25-33 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed memory compiler is directed to computer code not implemented in a computer, or not on computer readable medium.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 7, 20, and 29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not describe how it is possible to execute a read cycle **simultaneously** with a write cycle.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1-6, 8-11, 16-19, and 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Huang (US 6,691,264).

Regarding claims 1 and 16, Huang discloses a method and apparatus (Fig. 3) for testing a memory instance (30), comprising:

- scanning test information into a test and repair wrapper (42) integrated with said memory instance (Abstract, lines 1-3);
- providing a strobe control signal (BISR Control, Fig. 5) to said test and repair wrapper for signaling commencement of testing operations with respect to said memory instance (Fig. 5);
- generating, by said test and repair wrapper, at least one of an address signal, a data signal and a command signal based on said scanned test information (address and control signals from 42, Fig. 3);
- executing at least one test with respect to said memory instance responsive to said address, data and command signals generated in said test and repair wrapper (Fig. 3).

Regarding claim 2, Huang discloses that said step of scanning test information is effectuated by a built-in self-test and repair (BISTR) processor (48) associated with said memory instance (Fig. 3).

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Regarding claim 3, Huang discloses that said strobe control signal is provided to said test and repair wrapper by a built-in self-test and repair (BISTR) processor associated with said memory instance (Figs. 3, 5).

Regarding claims 4 and 17, Huang discloses that said at least one test is executed at speed using a memory clock operable with said memory instance (column 5, lines 47-49, Fig. 1a, column 7, lines 60-62).

Regarding claims 5 and 18, Huang discloses that said at least one test comprises a single cycle write operation (test of one cell, column 5, lines 56-58).

Regarding claims 6 and 19, Huang discloses that said at least one test comprises a single cycle read operation (test of one cell, column 5, lines 56-58).

Regarding claims 8 and 21, Huang discloses that said at least one test comprises a back-to-back write operation (column 5, lines 58-59).

Regarding claims 9 and 22, Huang discloses that said back-to-back write operation is followed by a read operation (column 5, lines 58-60).

Regarding claims 10 and 23, Huang discloses that said at least one test comprises a back-to-back read operation (column 5, lines 59-60).

Regarding claims 11 and 24, Huang discloses that said back-to-back read operation is followed by a write operation (column 5, lines 63-66).

Allowable Subject Matter

6. Claims 12-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reasons For Allowance

7. The method as claimed wherein said test and repair wrapper is generated by a memory compiler used for compiling said memory instance (claim 12) is not disclosed, suggested, or made obvious by the prior art of record.


Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P Nghiem whose telephone number is (571) 272-2277. The examiner can normally be reached on M-H.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MICHAEL NGHIEM
PRIMARY EXAMINER

Michael Nghiem

February 28, 2005